The Remarks

Applicant thanks Examiner Bunner for her assistance in this prosecution. Claims 33 and 34 have been amended, and claims 36-38 are new. Claim 35 was indicated as allowable by the examiner in the present office action. No new matter has been added. After entry of this amendment, claims 33-38 will be pending.

Claim Objections

Claims 33 and 34 were amended to address the examiner's objections, and Applicant respectfully requests that the objections to the claims be withdrawn.

35 USC §112, second paragraph

Claims 33 and 34 were amended to address the examiner's rejections, and Applicant respectfully requests that the rejections to the claims be withdrawn.

35 USC §112, first paragraph

Claim 33 stands rejected for lack of enablement. Claim 33 recites a CXCR4 agonist having a linker comprising 4 natural amino acids. This limitation finds support in the application, as filed. For example, originally-filed claims 9 and 23 recite a limitation to a linker comprising natural amino acids, and the specification teaches working examples of a linker comprising 4 glycines. As such, one of skill would readily understand that, in some embodiments, the scope of the invention can include any combination of 4 natural amino acids.

The amount of guidance or direction needed to enable an invention is inversely related to the amount of knowledge in the state of the art as well as the predictability in the art. *In re Fisher*, 166 USPQ 18, 24 (CCPA 1970); MPEP 2164.03. The scope of the required enablement varies inversely with the degree of predictability involved, but even in unpredictable arts, a disclosure of every operable species is not required... [although,] in cases involving unpredictable factors... more may be required. *See Id.* In the present application, Applicant has provided "more." In addition to the teachings provided with the application as-filed, Applicant provided the declaration of Dr. Merzouk with the office action response of October 12, 2006, to show a variety of linkers comprising 4 amino acids containing all glycine, all lysine, all argine, combinations of glycine and lysine, and combinations

of glycine and argine, consisting of 30 combinations total. The combinations provide a variety of physical characteristics for the linker, including length and charge, as the three amino acids chosen for use in the combinations have different lengths, compositions, and charges. The lengths of the resulting linkers range from about 13 atoms in length to about 29 atoms in length, and the charges range from neutral in charge to a variety of charged configurations, can be used in a linker comprising 4 natural amino acids. These results show that one of skill is enabled to practice the invention using 4 natural amino acids as a linker without undue experimentation, at least within the size ranges shown in the evidence submitted in the declaration of Dr. Merzouk. The evidence provided by an Applicant to show enablement merely needs to be convincing to one of skill, not conclusive. *See* MPEP 2164.05.

Conclusion

In view of the foregoing, Applicant submits that the claims are in condition for allowance. A Notice of Allowance is, therefore, respectfully requested.

No further fees are believed due with this communication. However, the Commissioner is hereby authorized and requested to charge any deficiency in fees herein to Deposit Account No. 50-2207. If in the opinion of the Examiner a telephone conference would expedite the prosecution of the present application, the Examiner is encouraged to call the undersigned at (650)-838-4388.

Respectfully Submitted,

Date: April 11, 2007

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